

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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RICHARD BURR,

Plaintiff,

-against-

**STIPULATION OF DISCONTINU-  
ANCE AND VOLUNTARY DIS-  
MISSAL**

TIMOTHY B. HOWARD, individually  
and in his [former] official capacity as Sheriff of  
Erie County; and

**Case #: 1:20-cv-00189-JLS-JJM**

THOMAS DIINA, individually and in his [former]  
official capacity as Superintendent of the Jail Manage-  
ment Division of the Erie County Sheriff's Office, and

BRIAN McLAUGHLIN, individually and in his  
former] official capacity as Commissioner of the Erie  
County Probation Department, and

JOHN J. FLYNN, individually and in his official capa-  
city as District Attorney of Erie County, and

[Former] Erie County Sheriff's Deputy Sergeant JOHN  
[actually, "MATTHEW"] CROSS a/k/a Deputy JOHN  
DOE #1, individually and in his [former] official capa-  
city as a Deputy Sheriff of Erie County, and

Erie County Sheriff's Deputy Sergeant SLIMEC a/k/a  
Deputy JOHN DOE #2, individually and in his official  
capacity as a Deputy Sheriff of Erie County,

and

COUNTY OF ERIE, NEW YORK,

Defendants.

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**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned  
attorneys for the parties, none of whom is a minor or an incompetent, that the above entitled  
action, having been fully and finally settled and compromised, be and the same hereby is discon-

tinued and voluntarily dismissed, with prejudice, as provided for by Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

**IT IS HEREBY FURTHER STIPULATED AND AGREED**, by and between the undersigned attorneys for the parties, none of whom is a minor or an incompetent, that this Stipulation, once fully executed, may be filed with the Clerk of the Court without further notice.

**Dated:** Buffalo, New York  
March 29, 2022

By:   
FRANK S. FALZONE, ESQ..


Attorney for Plaintiff, Richard Burr

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By:   
Ass.t. Erie Co. Att'y., KENNETH R. KIRBY, Esq.  
**MICHAEL A. SIRAGUSA, ESQ.**

Erie County Attorney, Attorney for  
Defendants

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